

REMARKS

The present Amendment and Response is responsive to the Final Office Action mailed December 11, 2007. After entry of the present Amendment, Claims 1-2, and 4-20 are pending in the application. By the present Amendment, independent Claims 1, 6, 10, and 15, and dependent Claims 4, 5, 8, 9, 12, 13, and 17 have been amended. New dependent Claims 19 and 20 have been added, and dependent Claim 3 has been cancelled without prejudice. It is respectfully submitted that no new matter has been added by the foregoing amendments. Reconsideration of the application, as amended, is requested in view of the following remarks.

Rejections Under 35 U.S.C. § 102(b)

In the Final Office Action, Claims 1-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,134,338 to *Solberg et al.* (“*Solberg*”). Specifically, the Office Action contended that *Solberg* discloses a method for providing actual scale information of a digital image.

Although it is believed that the independent claims are allowable over *Solberg* for at least the reasons set forth in the Amendment and Response dated September 19, 2007, in order to expedite the allowance of the application, the independent claims have been amended to clarify the scope of the claimed invention. Specifically, independent Claim 1 has been amended to include “embedding the scale information in a header of the digital raster image” and “storing the digitized raster image and the embedded scale information as a single file” (underlining supplied). Independent Claims 6, 10, and 15 have been amended in a similar manner. Support for these amendments is provided at least in paragraphs [0035] – [0044] and in FIGS. 1-2 of the Specification.

As a result of embedding scale information in a header of a digitized raster file, a single file may be stored for a drawing that is available for subsequent access. Many conventional document archival techniques, including those utilized by most CAD systems, such as *Solberg*, depend on the association in a database of digital images and one or more external files containing information about the digital images (e.g., scale information for the digital images).

When external files are utilized, the stored data can become disconnected or disassociated from the digital image in a wide variety of common ways, such as, network failure, database failure, human error, decommissioning of systems, etc. Additionally, inaccuracies may occur if the data in one or more of the external files is altered or corrupted. By embedding scale information in a header of a digitized raster file to create a single file for an image, data for the image may be accurately retrieved from a single source.

It is respectfully submitted that *Solberg* does not disclose, teach, or suggest each and every element of the amended independent claims. Specifically, *Solberg* does not teach or suggest “embedding the scale information in a header of the digital raster image” and “storing the digitized raster image and the embedded scale information as a single file” (underlining supplied). In marked contrast to the claimed invention of the independent claims, *Solberg* relates to a system that determines scale information for an intermediary raster image and then utilizes the scale information to construct a CAD image. *Solberg* determines the scale information by either reading alphanumeric text representing scale information from the face of a raster image (See *Solberg* at Col. 16, line 36 – Col. 17, line 16; Col. 17, lines 55-59) or, alternatively, via a user prompt for the scale information (See *Solberg* at Col. 25, lines 30-33 and FIG. 6). Any information associated with the created CAD image, including the determined scale information, is stored in the CAD file itself or in a CAD library file (See, for example, *Solberg*, at Col. 57, lines 10-15). The scale information is not stored or embedded in a header of a digital raster image. Furthermore, the embedded scale information and the digital raster image are not stored as a single file.

The raster images discussed in *Solberg* are simply utilized as intermediate files during the creation of a CAD file (See *Solberg* at Col. 22, lines 63-65). There is no teaching or suggestion in *Solberg* of storing a scale of a raster file in a header of the raster file. Instead, it appears that any scales of raster files in *Solberg* are simply used to construct a CAD file. Accordingly, if the scale information is saved, it is saved in the CAD file itself or in a CAD library file. Scales in *Solberg*, therefore, are likely set and stored for the generated CAD file rather than for the intermediate raster images. In fact, because *Solberg* uses the raster images only as intermediate files, *Solberg* is not concerned with preserving the original data. Thus, there is no need to save

the raster images in *Solberg*, and there is certainly no need to embed scale information for the raster images in a header of the raster images.

Moreover, the raster files discussed in *Solberg* are described as GIF files. Even though *Solberg* relates to a system that generally may utilize various types of raster file formats, the description of *Solberg* focuses on the use of GIF files. It is respectfully submitted that the GIF file format does not support the embedding of scale information in a header of a GIF file. Although a GIF file has an associated header, the information that can be stored in the header of a GIF file is limited. More specifically, a GIF file typically does not support the storage of various user-defined data parameters in the header, and therefore, likely does not support the storage in the header of scale information input by a user. Therefore, there is no teaching or suggestion in *Solberg* of embedding scale information in a header of a digital raster image.

The Office Action cites to FIGS. 4-7 and Col. 19, lines 45-67 of *Solberg* in its contention that *Solberg* discloses the embedding of scale information in a header of a digital image. The Applicant has carefully reviewed the cited portions of *Solberg* and respectfully asserts that the cited portions do not teach or suggest "embedding scale information in a header of a digital raster image." Of FIGS. 4-7, only FIG. 6 makes reference to the scale of an image. More specifically, FIG. 6 illustrates a user interface in which scale information for a raster file can be input by a user prior to importing the raster file. However, there is no teaching or suggestion in FIG. 6 or its associated text of embedding any input scale information in a header of the raster file and storing the raster file and scale information as a single file. Instead, FIG. 6 and its associated text relate to the processing of raster files as intermediate files during the generation of a CAD file.

Additionally, the text cited by the Office Action (Col. 19, lines 45-67) does not teach or suggest embedding scale information for a digital raster image in a header of the digital raster image. The relevant text is reproduced below:

For the engineering drawing 190, the digitized viewpoint raster file is given a general file name 254 such as "WIDGET". Each view is named by adding viewpoint designations 256 to the general file name 254 followed by the raster file format 258, e.g. WIDGET-T.GIF, WIDGET-F.GIF,

WIDGET-R.GIF, and WIDGET-I.GIF. Thus, a top viewpoint raster file 226' named WIDGET-T.GIF corresponds to the top view 214. A front viewpoint raster file 232' named WIDGET-F.GIF corresponds to the front view 220. A right side viewpoint raster file 230' named WIDGET-R.GIF corresponds to the right side view 218, and an isometric viewpoint raster file 240' named WIDGET-I.GIF corresponds to the isometric view 238 of the engineering drawing 190 scanned. Other engineering drawings may have other views shown and suitable viewpoints are assigned to these views and file names given to the digitized viewpoint raster files. For any tabular information, charts or schedules on the document, the general file name 254 may be used along with the abbreviation "FV" for floating viewpoint 242 and the raster file format 258 "GIF.", to provide a floating viewpoint raster file 242', e.g. "WIDGET-FV.GIF". In FIG. 4, this raster file corresponds to the "TABULAR DIMENSION" table scanned off the engineering drawing 190, shown in FIG. 3.

The cited text merely relates to the naming of raster files that are utilized as an intermediate step during the generation of a CAD drawing. There is no teaching or suggestion in the cited text of associating a scale with the raster images. Moreover, there is no teaching or suggestion of embedding scale information in a header of a raster image. Accordingly, it is respectfully submitted that the cited portions of *Solberg* do not teach or suggest each and every feature of the amended independent claims.

As a result of embedding scale information in a header of a digitized raster file, a single file may be stored for a drawing that is available for subsequent access. Upon a subsequent access of the digitized raster file, drawing input may be received in the digitized raster file and true scale measurements of the drawing input may be determined. For example, an architectural drawing may be converted to a digitized raster file and scale information may be embedded in a header of the digitized raster file. Once the digitized raster file is rendered, a user may draw a line or shape in the rendered architectural drawing, and true scale measurements for the drawn

line or shape (e.g., distance or area) may be determined utilizing the embedded scale information. Because the scale information is embedded in a header of the raster file, there is no need to access another file, such as, a library file, central database file, etc., to retrieve the scale information. Thus, true scale measurements may be determined even if another file containing the scale information has been corrupted or is unavailable for any reason, such as, a loss of network connectivity.

For at least the reasons stated above, the Applicant respectfully asserts that amended independent Claims 1, 6, 10, and 15 are not anticipated by the *Solberg* reference and, therefore, are in condition for allowance. Because Claims 2, 4-5, 7-9, 11-14, and 16-20 ultimately depend from one of amended independent Claims 1, 6, 10, or 15, those claims are likewise allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

Patentability of the New Claims

By the present Amendment, new dependent Claims 19 and 20 have been added, which depend from independent Claim 1. For the reasons set forth below, it is respectfully asserted that *Solberg* does not teach or suggest the recitations set forth in new dependent Claims 19 and 20.

Patentability of New Dependent Claim 19

New dependent Claim 19 recites that “the received drawing input is a shape, and wherein calculating a true scale measurement of the drawn shape comprises calculating the area of the drawn shape.” As set forth in the previous Amendment and Response, it is respectfully submitted that *Solberg* does not teach or suggest receiving drawing input comprising a line or a shape and calculating the true scale measurement of the line or shape. More specifically, it is respectfully asserted that *Solberg* does not teach or suggest receiving drawing input of a shape and calculating the area of the drawn shape. In marked contrast to new dependent Claim 19, *Solberg* relates to a system that only mentions the creation of lines and curves, (i.e., vectors)

during the generation of a CAD drawing (See *Solberg* at Col. 26, lines 26-28; Col. 32, lines 42-45; Col. 34, lines 27-49). There is no teaching or suggestion in *Solberg* of receiving drawing input of a shape and calculating a true scale area of the drawn shape. Moreover, new dependent Claim 19 ultimately depends from amended independent Claim 1 for which arguments of patentability have been provided above. For at least these reasons, it is respectfully asserted that new dependent Claim 19 is allowable over *Solberg*.

Patentability of New Dependent Claim 20

New dependent Claim 20 recites that “receiving drawing input comprises receiving drawing input in the rendered digital image.” Support for this new claim is provided at least in FIGS. 5 and 6 of the Specification. As shown, a user may draw a line or shape in a rendered digital raster image, and a true scale measurement of the drawn line or shape may be determined.

As set forth in the previous Amendment and Response, it is respectfully submitted that *Solberg* does not teach or suggest receiving drawing input comprising a line or a shape and calculating the true scale measurement of the line or shape. More specifically, it is respectfully asserted that *Solberg* does not teach or suggest receiving drawing input in the rendered digital image. After a careful review of *Solberg*, it appears that *Solberg* relates to a system that only mentions the receipt of drawing input in association with defining a library symbol (See *Solberg* at Col. 29, line 66 – Col. 30, line 5). Drawing a symbol that is saved in a symbol library is not the same as drawing a line or a shape in a rendered digital raster image and, therefore, does not anticipate new dependent Claim 20. Moreover, new dependent Claim 20 ultimately depends from amended independent Claim 1 for which arguments of patentability have been provided above. For at least these reasons, it is respectfully asserted that new dependent Claim 20 is allowable over *Solberg*.

CONCLUSION

The Applicant believes that each matter raised by the Examiner has been addressed. Allowance of the claims is respectfully solicited. It is not believed that extensions of time or fees for addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by telephone conference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Rhett S. White
Attorney for Applicant
Registration No. 59,158

Date: June 5, 2008
SUTHERLAND ASBILL & BRENNAN, LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
(404) 853-8037
(404) 853-8806 (fax)
SAB Docket No.: 18730-0004